

REMARKS/ARGUMENTS

I. Claim Amendments

Prior to entry of this Amendment and Response, claims 12-41 are pending with claims 25-28 being withdrawn from consideration. Following entry of this Amendment and Response, claims 15, 16, 31, 32, 36, 39, and 40 will be pending.

Claims 12-14, 17-30, 33-35, 37-38, and 41 are cancelled herein without prejudice.

Claims 15 and 16 are amended herein to be rewritten in independent form including all the limitations of previously presented claims 12 and 13.

Claims 31 and 32 are amended herein to be rewritten in independent form including all the limitations of previously presented claim 29.

Claim 40 is amended herein to be rewritten in independent form including all the limitations of previously presented claim 37.

II. Indication of Allowable Subject Matter

The Examiner is thanked for his indication that claim 36 is allowed and that claims 15, 16, 31, 32, 39, and 40 contain allowable subject matter and would be allowable if appropriately rewritten. As discussed above, claims 15, 16, 31, 32, 39, and 40 have been rewritten in independent form including all the limitations of their respective base claims and any intervening claims.

Therefore, claims 15, 16, 31, 32, 36, 39, and 40 are believed to be in form for allowance, and such indication is respectfully requested.

III. Rejection of Claims under 35 U.S.C. § 102

In the Office action, claims 12-14, 17-21, 29, 30, 33-35, 37, 38, and 41 are rejected under 35 U.S.C. § 102(e) as being anticipated by Anderson '973 (U.S. Pat. No. 5,955,973). Further, claims 29, 30, 33, 34, 37, 38, and 41 are rejected under 35 U.S.C. § 102(e) as being anticipated by Monson et al. '100 (U.S. Pat. No. RE 35,100).

Although the applicant respectfully disagrees with the Examiner's rejections, claims 12-14, 17-21, 29, 30, 33-35, 37, 38, and 41 have been cancelled to permit the present application to issue. Accordingly, the rejections of claims 12-14, 17-21, 29, 30, 33-35, 37, 38, and 41 under

35 U.S.C. § 102 are now moot. The applicant reserves the right to prosecute these claims as originally filed in a later filed continuation, divisional, or continuation-in-part application.

IV. Rejection of Claims under 35 U.S.C. § 103

Claims 22-24 are rejected as being unpatentable under 35 U.S.C. § 103 over Anderson '973 in view of Monson et al. '100.

Although the applicant respectfully disagrees with the Examiner's rejections, claims 22-24 have been cancelled to permit the present application to issue. Accordingly, the rejections of claims 22-24 under 35 U.S.C. § 103 are now moot. The applicant reserves the right to prosecute these claims as originally filed in a later filed continuation, divisional, or continuation-in-part application.

V. Conclusion

For at least the various reasons discussed herein, it is believed that claims 15, 16, 31, 32, 36, 39, and 40 are in form for allowance, and such indication is respectfully requested.

This Amendment and Response is submitted contemporaneously with a petition for a two-month extension of time in accordance with 37 CFR § 1.136(a). The Commissioner is hereby authorized to charge Deposit Account No. 04-1415 the \$225.00 two-month extension fee for a small entity, as well as the \$100.00 fee for an additional independent claim for a total charge of \$325.00 for this Amendment and Response. The Applicant believes no further fees or petitions are required. However, if any such petitions or fees are necessary, please consider this a request therefore and authorization to charge deposition account number 04-1415 accordingly.

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Attorney Docket Number 910/US/4 (f/k/a 5437.06)
Application No. 09/862,652
Reply to Office action of August 4, 2004

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

DORSEY & WHITNEY LLP

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By 
Charles R. Matson
Attorney Reg. No. 52,006
Phone: (303) 629-3400
Customer No. 2068